

**REMARKS**

In the Office action of August 31, 2004, the examiner rejected claims 46, 47, 56, 57, and 59-62 under 35 U.S.C. 112, second paragraph, as indefinite. Claims 46, 47, 56, 57, and 59-62 were amended to clarify the matter of the invention and to identify the first optical combiner and the second optical combiner as suggested by the examiner.

The Examiner rejected claims 35-37, 40-48, 51-59 and 60-62 under 35 U.S.C. 102(e) as anticipated by Manning's USPN 5,999,293 ('293 patent ), and stated that claims 38, 39, 49 and 50, would be allowable if rewritten in independent form including all the limitations of the intervening claims.

Applicants through the undersigned attorney appreciate the time and consideration provided by Examiner in reviewing this application and for the opportunity to discuss the matter with the undersigned during the telephone interview on August 17, 2004. As agreed during the telephone interview, claims 1-34 were cancelled.

Applicants appreciate the examiner's indication that claims 38, 39, 49 and 50 would be allowable if rewritten in independent form, however, respectfully traverse the rejection of claims 35-37, 40-48, 51-59 and 60-62 at least for the following reasons.

**Rejection under 35 U.S.C. § 102(e)**

Anticipation under 35 U.S.C. § 102 requires that each and every claimed feature be disclosed by a single prior art reference.

Applicants agree with the examiner's statement that Manning discloses a light-controlled light modulator comprising a first optical branching means for branching the first input light; optical branching-delaying means for branching and delaying second input light; a first optical combiner/splitter for combining a first branched part of the first input light with a first branched part of the second input light; phase modulators, which are connected to the plurality of ports, including media that vary their refractive indices in response to light intensity of the first input light; and a second optical combiner/splitter for combining outputs from said phase modulators and for branching them to a plurality of parts, and for coupling then with a second branched part of the first input light and a second branched part of the second input light.

However, Manning neither discloses nor suggests that the optical branching-delaying means is connected to said second optical combiner and includes a third optical combiner

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connected to a plurality of optical branching-delaying circuits, which are different in length, and that when the wavelength of the signal light equals to wavelength of the light to be converted, the wavelength conversion becomes possible without mixing noise into the wavelength-converted light outputs. Applicants amended claim 35 to clarify the subject matter of the invention and to indicate the above distinction. This amendment is fully supported by the specification, for example, on page 19, line 2-14, FIG 5; page 20, lines 5-14. In making these revisions care has been taken to ensure that no new matter has been added.

As can be seen from the above, the present application is clearly distinguished from the cited prior art reference. Manning neither teaches nor suggests a light-controlled light modulator of the present application as disclosed in the specification and claimed in claim 35 as amended above.

Applicants respectfully submit that the pending dependent claims are also allowable as dependent upon allowable independent claim and the application is now in condition for allowance, which allowance is earnestly solicited.

The Examiner is encouraged to call the undersigned at (312) 577-7000 with any questions in connection with this communication.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY



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